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Johnson & Johnson Health Care Systems Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHNSON & JOHNSON	:	
HEALTH CARE SYSTEMS INC.,	:	Civil Action No. 22-2632 (JKS)(CLW)
	:	
Plaintiff,	:	Hon. Jamel K. Semper, U.S.D.J.
	:	Hon. Cathy L. Waldor, U.S.M.J.
vs.	:	Hon. Freda L. Wolfson, Special Master
	:	
SAVE ON SP, LLC,	:	ORDER GRANTING
	:	MOTION TO SEAL
Defendant.	:	
	:	

This matter having been brought to the Court upon the motion of Plaintiff Johnson & Johnson Health Care Systems, Inc. (“JJHCS”), by and through its attorneys, seeking an order to (a) permanently maintain under seal the letters and supporting exhibits filed by counsel for the parties regarding (i) Defendant Save

On SP, LLC's Motion to Compel CAP Search Terms, dated February 16, 2024, with related briefing on February 28 and March 4, 2024 (ECF No. 277); (ii) JJHCS's Application that Exhibit 81 be Withdrawn from the Court's Docket, dated January 29, 2024, with related briefing on February 6, 8, 9, 16, 20, 22 and March 29, 2024 (ECF No. 289); and (iii) Defendant Save On SP, LLC's Motion to Compel regarding Early Terms and Conditions and Search Terms, dated March 12, 2024, with related briefing on March 20 & 22, 2024 (ECF No. 282) (collectively, the "Subject Motions"), and (b) permit JJHCS to file the proposed public versions of ECF Nos. 277, 282, and 289, attached as Exhibits A, B, and C to the Declaration of Jeffrey J. Greenbaum submitted in support of this motion ("Greenbaum Declaration"); and the Court having considered the motion, the Court makes the following findings of fact and conclusions of law, pursuant to L. Civ. R. 5.3(c)(6):

(1) As to JJHCS's request to seal its confidential materials, the Court finds that the letters and the exhibits thereto (collectively, "the Confidential Materials") contain information that is non-public business, trade secret and/or proprietary information involving the administration of the Janssen CarePath Program and the JJHCS business.

(2) The Court further finds that the Confidential Materials contain highly sensitive, proprietary business information of JJHCS that is not known to the general public.

(3) The Court further finds that the parties have safeguarded and protected the confidentiality of the Confidential Materials, including throughout the pendency of this action.

(4) The Court further finds that JJHCS would suffer substantial and specific harm, including but not limited to, potential financial damage and disclosure of competitive business information through the divulgence of such confidential information and that JJHCS has a strong and legitimate interest in protecting this confidential information from being disclosed to the public.

(5) The Court further finds that no less restrictive alternative to sealing exists and that JJHCS has proposed redactions where appropriate to minimize the amount of sealing necessary.

(6) For these reasons, good cause exists for protecting the Confidential Materials pursuant to Fed. R. Civ. P. 26(c)(1)(G) and L. Civ. R. 5.3(c)(2).

IT IS ON THIS _____ day of _____, 2024;

ORDERED, that pursuant to L. Civ. R. 5.3, the JJHCS Confidential Materials are confidential and entitled to protection; and it is further ORDERED that the motion to seal is GRANTED and ECF Nos. 277, 282, and 289 are hereby permanently SEALED; and it is further

ORDERED that the Clerk of Court shall maintain the unredacted versions of
the Subject Motions at ECF Nos. 277, 282, and 289 under seal.

HON. FREDA L. WOLFSON (ret.)
SPECIAL MASTER